

28 CHAPTER 57. MODERN COMMUNICATIONS DECENCY ACT

29 Part 1. General Provisions

30 **13-57-101. Title.**

31 This chapter is known as the "Modern Communications Decency Act."

32 Section 2. Section **13-57-102** is enacted to read:

33 **13-57-102. Definitions.**

34 As used in this chapter:

35 (1) "Internet-enabled device" means a computer, tablet, telephone, or mobile device
36 that is capable of downloading, accessing, manipulating, storing, or translating electronic data
37 over the Internet.

38 (2) "Pornographic or indecent material" means the same as that term is defined in
39 Section [76-10-1235](#).

40 (3) "Technology protection measure" means a technology that blocks or filters Internet
41 access to pornographic or indecent material.

42 Section 3. Section **13-57-201** is enacted to read:

43 **Part 2. Internet-enabled Device Requirements**

44 **13-57-201. Technology protection measures -- Retailer duties -- Attorney General**
45 **duties.**

46 (1) Except as provided in Subsection (2), a retailer that sells, offers for sale, leases, or
47 distributes an Internet-enabled device that comes from the manufacturer with a technology
48 protection measure installed shall ensure that the technology protection measure is activated at
49 the time of sale, lease, or distribution of the device.

50 (2) Subsection (1) does not apply if the consumer:

51 (a) requests that the technology protection measure not be activated; and

52 (b) presents personal identification information to verify that the consumer is 18 years
53 of age or older.

54 (3) This section does not apply to an occasional sale of an Internet-enabled device by a
55 person that is not regularly engaged in the business of selling Internet-enabled devices.